

Certificate of Notice Page 1 of 4
United States Bankruptcy Court
Eastern District of Pennsylvania

In re:
Robert S. Sweet
Debtor

Case No. 16-11177-mdc
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2

User: John
Form ID: pdf900

Page 1 of 1
Total Noticed: 2

Date Rcvd: Jan 12, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 14, 2017.

db +Robert S. Sweet, 1808 Arnold Street, Philadelphia, PA 19152-1825

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. smg +E-mail/Text: usapae.bankruptcynotices@usdoj.gov Jan 13 2017 02:19:01 U.S. Attorney Office, c/o Virginia Powel, Esq., Room 1250, 615 Chestnut Street, Philadelphia, PA 19106-4404

TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 14, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 12, 2017 at the address(es) listed below:

JENIECE D. DAVIS on behalf of Creditor SETERUS, INC AS SERVICER FOR FEDERAL NATIONAL MORTGAGE ASSOCIATION Jeniece@MVRLAW.COM, bonnie@mvrlaw.com

JOSHUA ISAAC GOLDMAN on behalf of Creditor Nationstar Mortgage LLC bkgroup@kmlawgroup.com, bkgroup@kmlawgroup.com

MATTHEW CHRISTIAN WALDT on behalf of Creditor Nationstar Mortgage LLC mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com

RAYMOND M. KEMPINSKI on behalf of Raymond Kempinski ray@colemanekempinski.com, ray@colemanekempinski.com

RAYMOND M. KEMPINSKI on behalf of Debtor Robert S. Sweet ray@colemanekempinski.com, ray@colemanekempinski.com

THOMAS I. PULEO on behalf of Creditor Nationstar Mortgage LLC tpuleo@kmlawgroup.com, bkgroup@kmlawgroup.com

United States Trustee USTPRegion03.PH.ECF@usdoj.gov

WILLIAM C. MILLER ecfemails@phl3trustee.com, philaecf@gmail.com

TOTAL: 8

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 13
Robert S. Sweet, :
Debtor. : Bankruptcy No. 16-11177-MDC

ORDER

AND NOW, upon consideration of the Application for Compensation and Reimbursement of Expenses (the “Application”)¹ filed by Raymond Kempinski, Esquire (the “Applicant”), counsel to Robert S. Sweet (the “Debtor”), in which the Applicant requests the allowance of compensation in the amount of \$3,000.00 and the reimbursement of expenses in the amount \$365.00.

AND, the Applicant having been paid \$1,365.00 by the Debtor prior to the filing of the petition (the “Pre-Paid Amount”).

AND, upon the Applicant’s certification that proper service has been made on all interested parties.

AND, upon the Applicant’s certification of no response.

AND, the Court of Appeals having held that the bankruptcy court “has a duty to review fee applications, notwithstanding the absence of objections by the United States Trustee . . . , creditors, or any other interested party, a duty which . . . derives from the court’s inherent obligation to monitor the debtor’s estate and to serve the public interest,” *In re Busy Beaver Bldg. Centers, Inc.*, 19 F.3d 833, 841 (3d Cir. 1994) (emphasis in original).

AND, the Court of Appeals also having instructed that the bankruptcy courts should not “become enmeshed in a meticulous analysis of every detailed facet of the professional representation [to the point] that the inquiry into the adequacy of the fee assume[s] massive proportions, perhaps even dwarfing the case in chief.”

¹ Bankr. Docket No. 31.

AND, this case involving the representation of a below-median debtor. *See, e.g., see generally* 11 U.S.C. §1325(b) (establishing different standards for measuring plan confirmability depending upon whether the debtor's is above median or below median).

AND, pursuant to L.B.R. 2016-2(a)(1), the court being authorized to allow counsel fees in chapter 13 cases involving above-median debtors of \$3,000.00 based on a "short form application," that does not require an itemization of time.

AND, the Applicant having failed to provide any details regarding the expense for which he seeks reimbursement.

It is hereby **ORDERED** that:

1. The Application is **GRANTED IN PART** and **DENIED IN PART**.
2. Compensation is allowed in favor of the Applicant in the total amount of \$3,000.00 and reimbursement of expenses is allowed in favor of the Applicant in the amount of \$0.00 (the "Allowed Compensation and Expenses"). *See* L.B.R. 2016-1(f) (governing procedure for disposition of fee applications without a hearing).
3. The Trustee is authorized to distribute to the Applicant the Allowed Compensation and Expenses less the Pre-Paid Amount as an administrative expense pursuant to 11 U.S.C. §§330, 331, 503(b).

Dated: January 11, 2017



MAGDELINE D. COLEMAN
UNITED STATES BANKRUPTCY JUDGE

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Eileen Godfrey